



Waldman 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): Francis R. Waldman

Case: 2

Serial No.: 09/229,704

Filing Date: January 13, 1999

Group: 2665

Examiner: Thien D. Tran

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature: Francis R. Waldman Date: January 13, 2003

Title: System and Method for Interconnecting ATM Systems
Over an Intermediate ATM Network Using Switch
Virtual Connections

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RESPONSE TO FINAL OFFICE ACTION

JAN 23 2003

Assistant Commissioner for Patents
Washington, D.C. 20231

Technology Center 2600

Sir:

This is submitted in response to the outstanding final Office Action dated October 11, 2002, in the above-identified application. A Notice of Appeal is submitted concurrently herewith.

REMARKS

The present application was filed on January 13, 1999 with claims 1-16. New claim 17 was added in an Amendment filed by Applicant on July 25, 2002. In the final Office Action, the Examiner rejected claims 1, 2 and 9-17 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,933,412 (hereinafter "Choudhury"), and allowed claims 3-8.

In this response, Applicant traverses the §102(e) rejection. Applicant respectfully requests reconsideration of the present application in view of the following remarks.

With regard to the §102(e) rejection of claims 1, 2 and 9-16, Applicant again notes that the Choudhury reference was apparently assigned at the time of its issuance to Lucent Technologies Inc.